AMENDMENTS TO THE CLAIMS

1.   (Currently Amended) A system for implementing surgical procedures comprising:

an ultrasonic surgical hand piece having an end-effector with a sheath wherein the end-effector is selected from the group consisting of a blade, shears, scissors and forceps;

a generator console for controlling the hand piece, wherein the console sends a drive current to drive the hand piece which imparts ultrasonic longitudinal movement to the ~~blade~~ end-effector, instructs the hand piece to operate in different modes based on a handicap limit and a disable limit for all end-effectors which have been connected to the hand piece; and

a memory disposed in the sheath of the end-effector which optimizes operation of the generator console run operation with the end effector to achieve optimal tissue effects with the end effector, wherein the console reads information stored in the memory to determine whether a copyrighted data string is present;

wherein the hand piece is authenticated for use with the console if the data string is present.

2.   (Currently Amended) A system for implementing surgical procedures comprising: an ultrasonic surgical handpiece having an end-effector,

a generator console for controlling the hand piece wherein the console sends a drive current to drive the hand piece which imparts ultrasonic longitudinal movement to the end-effector and instructs the hand piece to operate in different modes based on a handicap limit and a disable limit for all end-effectors which have been connected to the hand piece; and

a memory disposed in a portion of the end-effector selected from the group consisting of a grip, handle and mounting, said memory optimizing

operation of the generator console for operation with the end-effector to achieve optimal tissue effect with the end-effector,

wherein the console reads information stored in the memory to determine whether a data string is present;

wherein the handpiece is authenticated for use with the console if the data string is present.

3.   (Currently Amended) A system for implementing surgical procedures comprising:

an ultrasonic surgical handpiece having an end-effector;

a generator console for controlling the handpiece, wherein the console sends a drive current to drive the handpiece which imparts ultrasonic longitudinal movement to the end-effector, and instructs the hand piece to operate in different modes based on a handicap limit and a disable limit for all end-effectors which have been connected to the hand piece; and

a memory disposed within a sheath of the end-effector which optimizes operation of the generator console for operation with the end effector to achieve optimal tissue effects with the end-effector,

wherein the console reads information stored in the memory to determine whether a data string is present, wherein the handpiece is authenticated for use with the console if the data string is present.

4.   (Original) The system of claim 2 wherein the data string is copyrighted.

5.   (Original) The system of claim 3 wherein the data string is copyrighted.

6.   (Original) The system of claim 2 wherein the memory stores an alarm limit and a disable limit, wherein the console instructs the hand piece to operate in an alarm mode if temperature of the hand piece exceeds the

alarm limit, and the console disables the hand piece if the temperature of the hand piece exceeds the disable limit.

7.   (Original) The system of claim 3 wherein the memory stores an alarm limit and a disable limit, wherein the console instructs the hand piece to operate in an alarm mode if temperature of the hand piece exceeds the alarm limit, and the console disables the hand piece if the temperature of the hand piece exceeds the disable limit.

8.   (Original) The system of claim 1 wherein the memory stores an alarm limit and a disable limit, wherein the console instructs the hand piece to operate in an alarm mode if temperature of the hand piece exceeds the alarm limit, and the console disables the hand piece if the temperature of the hand piece exceeds the disable limit.

9.   (Currently Amended) A system for implementing surgical procedures comprising:

an ultrasonic surgical handpiece having a detachable end-effector;

a generator console for controlling the handpiece, wherein the console sends a drive current to drive the handpiece which imparts ultrasonic longitudinal movement to the end-effector, and instructs the hand piece to operate in different modes based on a handicap limit and a disable limit for all end-effectors which have been connected to the hand piece; and

a memory disposed within the end-effector, which optimizes operation of the generator console for operation with the end-effector to achieve optimal tissue effects with the end-effector wherein the console writes historical usage and diagnostic information and configuration information into the memory;

wherein the diagnostic information are selected from the group

consisting of number of activations, duration of activations, number of uses with substantial time between use, diagnostic error codes, enable use, disable use, serial number of the generator console, and serial number of the handpiece.

10.   (Currently Amended) A system for implementing surgical procedures comprising:

an ultrasonic surgical handpiece having a detachable end-effector selected from the group consisting of a blade and shears;

a generator console having a digital signal processor (DSP) for controlling the handpiece, wherein the console sends a drive current to drive the handpiece which imparts ultrasonic longitudinal movement to the end-effector, and instructs the hand piece to operate in different modes based on a handicap limit and a disable limit for all end-effectors which have been connected to the hand piece; and

a memory disposed in the end-effector which optimizes operation of the generator console for operation with the end-effector to achieve optimal tissue effects with the end-effector,

wherein the console reads the memory and determines if the end-effector has been disabled for disabling the console from driving the end-effector.

11.   (Original) The system of claim 10 wherein the handpiece further comprises an alarm which sounds to notify a potentially compromised state.

12.   (Currently Amended) A system for implementing surgical procedures comprising:

an ultrasonic surgical handpiece having an end-effector selected from the group consisting of a blade and shears;

a generator console having a digital signal processor for controlling the handpiece, wherein the console sends a drive current to drive the handpiece which imparts ultrasonic longitudinal movement to the end-effector, and instructs the hand piece to operate in different modes based on a handicap limit and a disable limit for all end-effectors which have been connected to the hand piece; and

a memory disposed with the end-effector which optimizes operation of the generator console for operation with the end-effector to achieve optimal tissue effects with the end-effector,

wherein the console reads information stored in the memory and displays the information and an interpretation of the information on the console display.

13.   (Original) The system of claim 12 further comprising a switch adaptor wherein the memory communicates electrically with the switch adaptor through direct contacts;

wherein the switch adaptor conveys the information to the handpiece

14.   (Original) The system of claim 12 further compromising an adaptor wherein the memory communicates electrically with the adaptor through electromagnetic signal coupling;

wherein the adaptor conveys the information via the electromagnetic signal coupling to the handpiece.

15.   (Original) The system of claim 12 further comprising a switch adaptor wherein the memory communicates electrically with the handpiece through electromagnetic signal coupling;

wherein the switch adaptor conveys the information via the electromagnetic signal coupling to the handpiece.

16.   (Original) The system of claim 12 further comprising a switch adaptor wherein the adaptor electrically communicates with the handpiece through direct contacts.

17.   (Currently Amended) The system of claim 12 wherein the memory is used in conjunction ~~of~~ with specialized instruments selected from the group consisting of artery devices, homogenizers and liquifiers.

18.   (Original) The system of claim 12 wherein the memory is used to determine compatibility with specific types of the handpiece and to block use of the handpiece if incompatibility with the handpiece is determined.

19.   (Original) The system of claim 1 wherein the hand piece is authenticated for use with the console using cyclical redundancy check (CRC) implemented in a firmware programmed in the memory.

20.   (Original) The system of claim 1 wherein the data string is an encrypted code, and the hand piece is authenticated for use with the console by decoding a corresponding encryption algorithm in the console and providing a responding data pattern.

21.   (Currently Amended) The system of claim 1 wherein the memory stores [[a]] the handicap limit and [[a]] the disable limit, wherein the console instructs the hand piece to operate in a handicap mode if temperature of the hand piece exceeds the handicap limit, and the console disables the hand piece if the temperature of the hand piece exceeds the disable limit.

22.   (Currently Amended) The system of claim 1 wherein the memory stores [[a]] the handicap limit and [[a]] the disable limit, wherein the console instructs the hand piece to operate in a handicap mode if a number of defective blades found in a time period of operating the hand piece exceeds the handicap limit, and the console disables the hand piece if the

number of defective blades found in the time period exceeds the disable limit.

23.   (Currently Amended) The system of claim 1 wherein the memory stores [[a]] the handicap limit and [[a]] the disable limit, wherein the console instructs the hand piece to operate in a handicap mode if time the hand piece has been active exceeds the handicap limit, and the console disables the hand piece if the time the hand piece has been active exceeds the disable limit.

24.   (Currently Amended) The system of claim 1 wherein the memory stores [[a]] the handicap limit and [[a]] the disable limit, wherein the console instructs the hand piece to operate in a handicap mode if number of activations for the hand piece within a time period exceeds the handicap limit, and the console disables the hand piece if the number of activations for the hand piece within the time period exceeds the disable limit.

25.   (Original) The system of claim 21 wherein the handicap limit and the disable limit are re-initialized based on varied operational conditions of the hand piece.

26.   (Original) The system of claim 1 wherein the console is reprogrammed by reading a reprogram code stored in the memory if it is determined that a reprogram of the console is needed, and the console is upgraded by reading an upgrade code stored in the memory if it is determined that an upgrade of the console is needed.

27.   (Original) The system of claim 26 wherein the console reads the reprogram code and the upgrade code from a non-volatile memory of a non-hand piece device which is plugged into the hand piece in substitution of the end-effector.

28.   (Original) The system of claim 1 wherein the information stored in the
        memory correlates energy level information and corresponding output
        displacement, wherein the console reads the energy level information and
        drives the hand piece according to the corresponding output
        displacement.

29.   (Original) The system of claim 1 wherein the information stored in the
        memory includes a nominal resonant frequency, a start sweep point and a
        stop sweep point delimiting a frequency range, wherein a frequency
        sweep in effect under control of the console in the frequency range for
        detecting a resonant frequency for operating the hand piece.

30.   (Original) The system of claim 1 wherein the information stored in the
        memory includes a nominal resonant frequency, a bias amount and a
        margin amount from which a frequency range is calculated, wherein a
        frequency sweep in effect under control of the console in the frequency
        range for detecting a resonant frequency for operating the hand piece.

31.   (Original) The system of claim 1 wherein the memory consists of an
        Electrically Erasable Programmable Read Only Memory (EEPROM),
        Read Only Memory (ROM), Erasable Programmable Read Only Memory
        (EPROM), Random Access Memory (RAM), Programmable Array Logic
        (PAL), Programmable Logic Array (PLA), analog serial storage device,
        sound storage integrated circuit, a memory device in conjunction with a
        numeric manipulation device including a microprocessor for the purpose
        of encryption, volatile memory which is powered by a device consisting
        of a cell, battery and capacitor.

32.   (Currently Amended) A method for implementing surgical procedures in
        a system including an ultrasonic surgical hand piece having an end-
        effector with a sheath, a console for controlling the hand piece which

<u>instructs the hand piece to operate in different modes based on a</u>
<u>handicap limit and a disable limit for all end-effectors which have been</u>
<u>connected to the hand piece</u>, and a memory disposed in the sheath of the
end-effector which optimizes operation of the generator console for
operation with the end-effector to achieve optimal tissue effects with the
end-effector, the method comprising the steps of:

reading information stored in the memory;

determining whether a copyrighted data string is present in the
memory;

authenticating use of the hand piece with the console if the data string
is present;

sending a drive current to drive the hand piece; and

imparting ultrasonic movement to the blade.

33.   (Original) The method of claim 32 further comprising the steps of:
decoding an encryption algorithm in the console; and
providing a responding data pattern;
wherein the data string is an encrypted code.

34.   (Currently Amended) The method of claim 32 further comprising the
steps of:
instructing the hand piece to operate in a handicap mode if
temperature of the hand piece exceeds [[a]] <u>the</u> handicap limit; and
disabling the hand piece if the temperature of the hand piece exceeds
[[a]] <u>the</u> disable limit.

35.   (Currently Amended) The method of claim 32 further comprising the
steps of:
instructing the hand piece to operate in a handicap mode if number of
defective blades found in a time period of operating the hand piece

exceeds [[a]] the handicap limit; and

disabling the hand piece if the number of defective blades found in the time period exceeds [[a]] the disable limit.

36.   (Currently Amended) The method of claim 32 further comprising the steps of:

instructing the hand piece to operate in a handicap mode if time the hand piece has been active exceeds [[a]] the handicap limit; and

disabling the hand piece if the number of defective blades found in the time the hand piece has been active exceeds [[a]] the disable limit.

37.   (Currently Amended) The method of claim 32 further comprising the steps of:

instructing the hand piece to operate in a handicap mode if number of activations for the hand piece within a time period exceeds [[a]] the handicap limit; and

disabling the hand piece if the number of activations for the hand piece within the time period exceeds [[a]] the disable limit.

38.   (Original) The method of claim 34 further comprising the step of re-initializing the handicap limit and the disable limit based on varied operational conditions of the hand piece.

39.   (Original) The method of claim 32 further comprising the steps of:

determining whether a reprogram of the console is needed;

reading a reprogram code stored in the memory and reprogramming the console using the reprogram code, if it is determined that a reprogram of the console is needed;

determining whether an upgrade of the console is needed; and

reading an upgrade code stored in the memory and upgrading the

console using the upgrade code, if it is determined that an upgrade of the console is needed.

40.   (Original) The method of claim 32 further comprising the steps of:

reading energy level information stored in the memory; and

driving the hand piece according to a corresponding output displacement;

wherein the energy level information stored in the memory is correlated with corresponding output displacement for driving the hand piece.

41.   (Original) The method of claim 32 further comprising the steps of:

reading a nominal resonant frequency, a start sweep point and a stop sweep point delimiting a frequency range from the memory;

effecting a frequency sweep in the frequency range; and

detecting a resonant frequency for operating the hand piece.

42.   (Original) The method of claim 32 further comprising the steps of:

reading a nominal resonant frequency, a bias amount and a margin amount from the memory;

calculating a frequency range based on the nominal resonant frequency, the bias amount and the margin amount;

effecting a frequency sweep in the frequency range; and

detecting a resonant frequency for operating the hand piece.

43.   (Original) The method of claim 32 further comprising the steps of:

keeping track of a number of uses for the end-effector; and

keeping track of a number of remaining uses allowed for the end-effector.

44.   (Currently Amended) A system for implementing surgical procedures comprising:

an ultrasonic surgical handpiece having an end-effector;

a generator console for controlling the handpiece, wherein the console sends a drive current to drive the handpiece which imparts ultrasonic longitudinal movement to the end-effector, and instructs the hand piece to operate in different modes based on a handicap limit and a disable limit for all end-effectors which have been connected to the hand piece; and

a memory disposed with a sheath of the end-effector which optimizes operation of the generator console for operation with the end-effector to achieve optimal tissue effects with the end-effector,

wherein the console reads information stored in the memory to determine whether a data string is present, wherein the end-effector is authenticated for use with the handpiece if the data string is present.

45.   (Original) The system of claim 44 wherein the data string is copyrighted.

46.   (Currently Amended) The system of claim 44 wherein the memory stores an alarm limit and [[a]] the disable limit, wherein the console instructs the hand piece to operate in an alarm mode if temperature of the hand piece exceeds the alarm limit, and the console disables the hand piece if the temperature of the hand piece exceeds the disable limit.